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Notice of Allowability	Application No.	Applicant(s)	
	10/026,099	APFEL ET AL.	
	Examiner	Art Unit	
	Isaac N. Hamilton	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/10/06.
2. ☒ The allowed claim(s) is/are 38-42 and 48-52.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's representative, Mr. Robert W. Becker, on December 19, 2006.

The application has been amended as follows:

Claim 38, line 8, "and said radially outer edges" has been changed to --merge with said radially outer edges and said edges--;

Claim 48, line 13, "edges." has been changed to --edges, to obtain a nearly elliptical contour of the cutting blade.--.

The following is an examiner's statement of reasons for allowance: the claims define a cutting blade having a main body with a central fastening opening and blade sections extending radially from the main body, wherein the blade sections have radially inner cutting edges that merge with radially outer cutting edge in a double trapezoidal tapering shape, wherein the angle between a longitudinal axis and a radially outer edge is twice as large as an angle between the longitudinal axis and the radially inner cutting edges, to obtain a nearly elliptical contour of the cutting blade.

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Corcoran (2,788,038) teaches a cutting blade having a main body with a central fastening opening and blade section extending radially from the main body, wherein the blade section have radially inner cutting edges that merge with radially outer cutting edges in a double trapezoidal tapering shape, but does not teach the angle between a longitudinal axis and a radially outer edge is twice as large as an angle between the longitudinal axis and the radially inner cutting edges.

Rasmussen et al (5,979,285) teaches a cutting blade having a main body with a central fastening opening and blade section extending radially from the main body, wherein the blade section have radially inner cutting edges that merge with radially outer cutting edges in a double trapezoidal tapering shape, and teaches the angle between a longitudinal axis and a radially outer edge is twice as large as an angle between the longitudinal axis and the radially inner cutting edges, but does not teach a nearly elliptical contour of the cutting blade.

Hick (EP0115545A1) teaches a cutting blade having a main body with a central fastening opening and blade section extending radially from the main body, wherein the blade section have radially inner cutting edges and radially outer cutting edges in a double trapezoidal tapering shape to obtain a nearly elliptical contour of the cutting blade, and teaches the angle between a longitudinal axis and a radially outer edge is twice as large as an angle between the longitudinal axis and the radially inner cutting edges, but does not teach that the radially inner cutting edges merge with the radially outer cutting edges.

It would not have been obvious to combine the references with other prior art teachings in order to meet the claim limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac Hamilton whose telephone number is 571-272-4509. The examiner can normally be reached on Monday through Friday between 8am and 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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December 19, 2006



KENNETH E. PETERSON
PRIMARY EXAMINER